

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00012-2

DENNIS WALLS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On June 12, 2019, the United States of America appeared by Ryan Saunders, Assistant United States Attorney, and the defendant, Dennis Walls, appeared in person and by his counsel, Gregory Campbell, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Dylan Shaffer. The defendant commenced a twenty-eight-month term of supervised release in this action on January 11, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on July 2, 2018.

The court heard the admissions of the defendant, the evidence presented by the government and the defendant, and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to participate in and successfully complete the nine to twelve month residential drug treatment program at Recovery Point, or if unavailable, a comparable program, inasmuch as he entered Recovery Point on January 18, 2019, and was immediately discharged from Recovery Point on April 6, 2019 for failure to comply with the facility's rules and regulations due to his being discovered intoxicated that evening, and inasmuch as he was thereafter transferred to Recovery U on April 9, wherefrom he was discharged on or about April 15, 2019 immediately after being discovered at 3:00 a.m. lying on a hallway floor with his head having penetrated the dry wall partition of one side of the hallway, following which he was locked in his room for his safety; and (2) the defendant illegally ingested marijuana on or about April 23, 2019, as admitted by him to the probation officer and as reflected in a urine specimen taken April 24, 2019 which tested positive for marijuana; as admitted by the defendant as to (2) above on the

record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

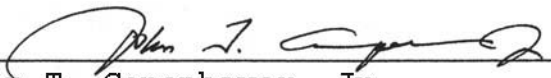
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, to be followed by a term of twenty (20) months of supervised release upon the same terms and conditions as heretofore and the special condition that he participate in a six month residential drug treatment program to be determined by the probation officer, where he shall follow the rules and regulations of the facility and successfully complete the

program and participate in substance abuse counseling and treatment as directed by the program and the probation officer, and that he submit to frequent, random urine screens as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 17, 2019



John T. Copenhaver, Jr.
Senior United States District Judge